IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

NOV 10 2005 Serial No. 10/824,448

For: "Alpha-Hemoglobin
Stabilizing Protein
Transgenic Mouse and
Methods of Use Thereof"

Dexaminer: Joanne Hama

Art Unit: 1632

File Ref: CHOP.0189US

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File Ref: CHOP.0189US

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Methods of Use Thereof"

REQUEST FOR AMENDMENT OF INVENTORSHIP UNDER 37 C.F.R. §1.48

Applicant's hereby request that the inventorship of the above-identified patent application be amended to include Anthony J. Kihm as a joint inventor along with Drs. Weiss, Blobel, and Kong so that the application may proceed in the names of Drs. Weiss, Blobel, Kong and Kihm as joint inventors of the subject matter claimed. In support of Applicants request, the following papers are provided:

- 1. A statement from Dr. Kihm averring that his omission from the originally named inventive entity occurred without deception.
- 2. A new Inventors Declaration in compliance with 37 C.F.R. §1.63; and
- 3. The processing fee of \$130.00 as required under 37

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C.F.R.1.17(i).

An assignment document has been recorded in this case. Accordingly, submitted herewith is the written consent of the assignee acknowledging the change in the inventive entity.

Respectfully submitted,

DANN, DORFMAN, HERRELL AND SKILLMAN

A Professional Corporation

Attorneys for Applicant

Kathleen D. Rigaut, Ph.D., J.D.

Registration No.: 43,047

1601 Market Street - Suite 2400

Philadelphia, Pennsylvania 19103

(215) 563-4100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION OF ANTHONY J. KIHM

I, Anthony J. Kihm hereby declare that:

Methods of Use Thereof"

- 1. I am a co-inventor along with Mitchell Weiss, Yi Kong and Gerd Blobel of the invention described and claimed in U.S. Patent Application Serial No. 10/824,448 (the '448 application).
- 2. At the time of filing of the above-identified application, I was not identified as a joint inventor.
- 3. Upon review of the subject matter claimed in the application, I have realized that an unintentional error in inventorship occurred and am filing the present declaration to correct this error.
- 4. This error was made in good faith, without deceptive intent.
- 5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

03-November 2005

Anthy whin

DECLARATION, POWER OF ATTORNEY AND POWER TO INSPECT

below named inventor, I hereby declare:

ny residence, post office address and citizenship are as stated below next to my name;

verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural named below) of the invention entitled: APLPHA-HEMOGLOBIN STABILIZING PROTEIN TRANSGENIC

AND METHODS OF USE THEREOF

City

the specification of which [ch			_				
X was filed April 14,	2004 as I	J.S. Application	No. <u>10/824,44</u>				
and was amended by is attached to this Dec	Amendment filed	of Attorney and F	(if appoint it appoints to Inspect:	oplicable); [or];			
				iod apocificati	an including	n the claims, as am	ended by any amendment
referred to above; and							
that I acknowledg	e my duty to dis	sclose information	on which is materia	I to the exam	ination of th	nis application in ac	cordance with Rule 56(a)
[37CFR§1.56(a)]. CLAIM UNDER 35 USC §11	10/a). I havabu a	laim tha hanafit :	under 25 LISC 8110	(a) of any Unit	od States ni	rovisional annlication	s listed below:
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	60/477,99) 1	12 Jur	ne 2003			
POWER OF ATTORNEY: individual(s) as my attorney Trademark Office connected Robert C. Netter, Jr., Ph.D.	ys or agents wit I therewith:; Kath ., Reg. No. 56,42	h full power of nleen D. Rigaut 22	substitution to pros t, Ph.D., J.D. Reg.	secute this ap No. 43,047; P	plication an atrick J. Ha	d to transact all bu agan, Esq., Reg. No	siness in the Patent and . 27,643;
POWER TO INSPECT: I he power to inspect and obtain	ereby give DANN copies of the par	, DORFMAN, Hi pers on file relati	ERRELL AND SKIL ng to this applicatio	.LMAN, P.C. o n.	f Philadelph	nia, PA or its duly ac	credited representatives
SEND CORRESPONDENCE	E TO: CUSTOM	ER NUMBER 0	00110				
DIRECT INQUIRIES TO:	Kathleen D Ri	gaut, Ph.D., J.D.		:\	Email: KE	Rigaut@ddhs.com	
	i elepnone: (2	215) 563-4100	Facsimile:(215) 563-4044	Ellian. Kr	ilgaut & duris.com	
I hereby declare that all stat be true; and further that the imprisonment, or both, unde application or any patent iss	ese statements w er Section 1001 o	ere made with t	the knowledge that	willful false st	atements ar	nd the like so made	are punishable by fine or
SOLE OR FIRST JOINT	INVENTOR			SECOND J	OINT INV	ENTOR	
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Full Name: Mitchell		Weiss		Full Name:		M: data	Blobel Last
First	Middle	Last			First	Middle	Last
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U.S. Pate Declaration Power to Page 2	ont Application No. 10/ on, Power of Atty. & Inspect	824,448			
•	DINT INVENTOR		FOURTH JOIN	T INVENTOR	
Full Name	-	Kong Last	Full Name: <u>An</u> Fir <i>f</i> l	st Middle	Kihm Last
			Signature <u>/</u> Date <u>/////</u>	My Jahr	. 1
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DECLARATION, POWER OF ATTORNEY AND POWER TO INSPECT

As a below named inventor, I hereby declare:			
As a below named inventor, I threby decime.			
Ov . the ray residence, post office address and citizenship are as states	d below next to my name;		
2005that verily believe I am the original, first and sole inventor (if	only one name is listed below) or an origin	al, first and joint in	entor (if plural inventors a
named below) of the invention entitled: APLPHA-HEMOGLO METHODS OF USE THEREOF the specification of which (check one(s) applicable)	BIN STABILIZING PROTE	IN TRANSGE	ENIC MOUSE AN
the specification of which [check one(s) applicable]			
x was filed April 14, 2004 as U.S. Application No. 10/824 and was amended by Amendment filed is attached to this Declaration, Power of Attorney and Power to Inspec	(if applicable); [or];		
that I have reviewed and understand the contents of the above		ims, as amended by	any amendment referred
above; and that I acknowledge my duty to disclose information which is mate CLAIM UNDER 35 USC '119(e): I hereby claim the benefit under 35 USC	erial to the examination of this application i C'119(e) of any United States provisional ap	n accordance with Ri oplications listed belo	ule 56(a) [37CFR'1.56(a)]. ow:
Provisional Application No.	Filing Date Day/Mo/Year		•
60/462,771	14 April 2003		
60/477,991	12 June 2003		
POWER OF ATTORNEY: As inventor, I hereby appoint DANN, DC individual(s) as my attorneys or agents with full power of substitution connected therewith:; Kathleen D. Rigaut, Ph.D., J.D. Reg. No. 43,047; I Robert C. Netter, Jr., Ph.D., Reg. No. 56,422	prosecute this application and to transact	AN, P.C. of Philadel all business in the I	phia, PA, and the following the part of th
POWER TO INSPECT: I hereby give DANN, DORFMAN, HERRELL power to inspect and obtain copies of the papers on file relating to this applic	AND SKILLMAN, P.C. of Philadelphia, Feation.	A or its duly accredi	ted representatives
SEND CORRESPONDENCE TO: CUSTOMER NUMBER 000110 DIRECT INQUIRIES TO: Kathleen D Rigaut, Ph.D., J.D. Telephone: (215) 563-4100 Facsim	nile:(215) 563-4044 Email: KRigaut@d	dha oom	
	inc.(213) 303-1044 EliBit. Krigati@d	dus.com	
I hereby declare that all statements made herein of my own knowledge ar further that these statements were made with the knowledge that willful fa Section 1001 of Title 18 of the United States Code and that such willful false	re true and that all statements made on in- ilse statements and the like so made are pu	formation and belief nishable by fine or i	mprisonment, or both, und
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U.S. Patent Application No. 10/824,448
Declaration. Power of Atty. &

THIRD JOI	INT INVENTOR			FOURTH J	OINT INVE	NTOR	
Full Name:	Yi		Kong	Full Name:		J.	Kihm
	First Mi	ddle	Last		First	Middle	I.ast
Signature _				Signature _		·····	
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DECLARATION, POWER OF ATTORNEY AND PO

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that 1 137CFR'1.56(a)).	нскиомісф	e my duty to disclose	information whic	is material to the examination o	f this application in	accordance with Rule 560
CLAIM UNDER	35 USC 111	9(e): I hereby claim the	benefit under 35 L	SC '119(e) of any United States provi	sional applications lists	ed helow:
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		60/462,771		Day/Mo/Year 14 April 2003		,
		60/477,991		12 June 2003		
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DIRECT INQUIR	IES TO:	Kathleen D Rigaut, Ph Telephone: (215) 56		(1-101d) 444		
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U.S. Patent Application No. 10/824,448 Declaration, Power of Atty. & Power to Inspect Page 2

THIRD JOINT INVENTOR

Kong Full Name: Anthony Kihm Full Name: Yi First Middle Last First Middle Last Signature _____ Signature _____ Residence City State or Country Residence ____ City State or Country Citizenship _____ Citizenship Post Office Address Post Office Address Zip Code City State or Country Zip Code City State or Country

FOURTH JOINT INVENTOR

DECLARATION, POWER OF ATTORNEY AND POWER TO INSPECT

below named inventor, I hereby declare:

my residence, post office address and citizenship are as stated below next to my name;

inventors are named below) of the invention entitled: APLPHA-HEMOGLOBIN STABILIZING PROTEIN TRANSGENIC

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the specification of which [ch. X was filed April 14,			24 448			
and was amended by A	Amendment filed		<pre>_ (if applicable); [or];</pre>			
referred to above; and			·	_		nended by any amendment ccordance with Rule 56(a)
[37CFR§1.56(a)]. CLAIM UNDER 35 USC §119	•					
Provis	sional Application N		iling Date ay/Mo/Year			
	60/462,771		4 April 2003			
	60/477,991		2 June 2003			
POWER OF ATTORNEY: A individual(s) as my attorney Trademark Office connected Robert C. Netter, Jr., Ph.D.,	s or agents with full therewith:; Kathleen	power of substitution	to prosecute this ap	plication and	I to transact all b	usiness in the Patent and
POWER TO INSPECT: 1 her power to inspect and obtain of				of Philadelphi	a, PA or its duly a	ccredited representatives
SEND CORRESPONDENCE DIRECT INQUIRIES TO:	ETO: CUSTOMER N Kathleen D Rigaut, Telephone: (215)	Ph.D., J.D.	nile:(215) 563-4044	Email: KRi	gaut@ddhs.com	
I hereby declare that all state be true; and further that the imprisonment, or both, under application or any patent issu	se statements were n Section 1001 of Title	nade with the knowled	ge that willful false st	atements an	d the like so made	e are punishable by fine or
SOLE OR FIRST JOINT	INVENTOR		SECOND J	OINT INV	ENTOR	
Full Name: Mitchell	We	eiss	Full Name:	Gerd		Blobel
First		ast		First	Middle	Last
Signature			Signature _			
Date			Date			
Residence			Residence _			
City	State or Country	,		City	,	State or Country
Citizenship			Citizenship			
Post Office Address		Post Office	Address			

City

Zip Code

State or Country

Zip Code

State or Country

City

U.S. Patent Application No. 10/824,448 Declaration, Power of Atty. & Power to Inspect Page 2

THIRD JOINT INVENTOR

Kong Kihm Full Name: Yi Full Name: Anthony First Middle Last First Middle Last Signature _____ Signature Residence City State or Country Residence ____ State or Country Citizenship _____ Citizenship Post Office Address Post Office Address Zip Code Zip Code City State or Country City State or Country

FOURTH JOINT INVENTOR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of) Examiner: Joanne Hama
Mitchell Weiss et al.) Art Unit: 1632
Serial No. 10/824,448) File Ref: CHOP.0189US
Filed: April 14, 2004)
For: Alpha-Hemoglobin)
Stabilizing Protein)
Transgenic Mouse and)
Methods of Use Thereof")

CONSENT BY ASSIGNEE FOR AMENDMENT UNDER RULE 1.48

The Children's Hospital of Philadelphia, is the Assignee of the right, title and interest of Mitchell Weiss, Gerd Blobel, and Yi Kong in and to the aboveidentified invention and application by virtue of the Assignment dated May 2004 and recorded at the United States Patent Office on June 10, 2004, Reel/Frame 014715/0979. The Children's Hospital of Philadelphia hereby consents to the amendment of the above-identified application under Rule 1.48 in order to properly set forth Dr. Kihm as a joint inventor along with Drs. Weiss, Blobel, and Kong of the subject matter disclosed and claimed in the application. An Assignment by Dr. Kihm will be executed and recorded in the Patent and Trademark Office so that The Children's Hospital of Philadelphia shall be the Assignee of the entire right, title and interest in and to the above-identified invention and application.

Mouse Date	· 4, 2005	The Children's Hospital of Philadelphia	3
Dace			

Title

Approved for use through 07/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE nder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

and com Seled form to: Commissioner to O. Box 1450, Alexandria, VA 22313-1450

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Application Number	10/824,448	
Filing Date	April 14, 2004	
First Named Inventor	Mitchell Weiss	
Art Unit	1632	
Examiner Name	Joanne Hama	
Attorney Docket Number	CHOP.0189US	

Enclosed is a paper filed under 37 CFR§1.48 that req Payment of \$_130.00 is enclosed. This form should be included with the above-mentioned paper and faxed or mapplicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see	ailed to the Office using the appropriate Mail Stop, if
Payment of Fees (small entity amounts are NOT available for the process	
The Commissioner is hereby authorized to charge the following fe processing fee under 37 CFR 1.17(i) any deficience a duplicative copy of this form for fee processing.	ees to Deposit Account No. 04-1406 : ency of fees and credit of any overpayments
X Check in the amount of \$ 130.00 is encl	osed.
Payment by credit card (Form PTO-2038 or equivalent enclosed)). Do not provide credit card information on this form.
Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 180 Except for § 1	8 for all, .221 papers (Fee Code 1803)
For papers filed under: § 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error is 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error is 1.41 - for supplying the name or names of the inventor or inventors after the by § 1.63, except in provisional applications. § 1.48 - for correcting inventorship, except in provisional applications. § 1.52(d) - for processing a nonprovisional application filed with a specification § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a n § 1.55 - for entry of late priority papers. § 1.71(g)(2) - to enter an amendment to the specification for purposes of 35 to 1.71(g)(2) - to enter an amendment to the specification for purposes of 35 to 1.03(b) - for requesting limited suspension of action, continued prosecution § 1.103(c) - for requesting limited suspension of action, request for continued § 1.103(d) - for requesting deferred examination of an application. § 1.217 - for processing a redacted copy of a paper submitted in the file of an the patent application publication or republication of an application § 1.221 - for requesting voluntary publication or republication of an application § 1.291(c)(5) - for processing a second or subsequent protest by the same reset 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) not entity set forth in the international stage. § 3.81 - for a patent to issue to assignee, assignment submitted after payments.	in in a language other than English. onprovisional application under § 1.53(b). J.S.C. 103(c)(2) if not filed within the cited time periods application (§ 1.53(d)). examination (§ 1.114). application in which a redacted copy was submitted for the code 1803 all party in interest. aming an inventive entity different from the inventive
Lathle Signature	November 7, 2005 Date
KATHLEEN D. RIGAUT, Ph.D.	43,047
Typed or printed name	Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.